

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

RYAN BONNEAU,

Case No. 3:12-cv-02354-PA

Petitioner,

ORDER

v.

MARION FEATHER,

Respondent.

PANNER, District Judge.

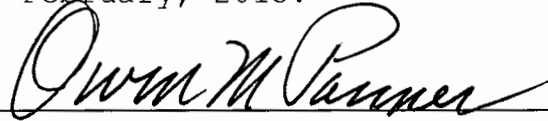
This 28 U.S.C. § 2254 habeas corpus case comes before the court on petitioner's Motion for Temporary Restraining Order and/or Preliminary Injunction (#2). A party submitting a written motion to the court is required to serve the motion upon every party to the lawsuit. Fed. R. Civ. P. 5(a). Such motions must also include a certificate of service. Fed. R. Civ. P. 5(d)(1).

Petitioner's Motion includes a Certificate of Service that does not purport to serve any documents on respondent. Petitioner asserts that he served "the following documents together via U.S.

Mail" but fails to identify any documents which he served. Accordingly, the court concludes that petitioner failed to properly serve his TRO Motion and supporting documents. Accordingly, the Motion for Temporary Restraining Order and/or Preliminary Injunction (#2) is denied, without prejudice.

IT IS SO ORDERED.

DATED this 26 day of February, 2013.

A handwritten signature in black ink, reading "Owen M. Panner", is written over a horizontal line.

Owen M. Panner
United States District Judge